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MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM: John F. Blake  
Deputy Director for Administration

SUBJECT: Study on Ethics and Intelligence Compiled  
by a Committee from Senior Seminar Eleven

I have enclosed the results of a study on the issue of Ethics and Intelligence carried out by three members of Senior Seminar Eleven. During this Seminar several discussions on Creativity and Ethics were held by the class. The interest generated by the discussions convinced these three members that further research would be useful. They created a questionnaire on the subject of ethics and submitted the questionnaire to selected Agency officers. I am certain you will find the study and its conclusions most interesting.

*/s/ John F. Blake*

John F. Blake

Attachments:

- 1 - Ethics and Intelligence
- 2 - Ethics and Intelligence Questionnaire

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ETHICS AND INTELLIGENCE

Senior Seminar XI

STATINTL



This report summarizes the deliberations of Senior Seminar XI on the issue of ethics in CIA. In particular it discusses the results of a questionnaire developed and administered by three members of the Seminar. The responses to the questionnaire suggest that there is a high degree of interest in ethical questions within the Agency, and also that there is a wide diversity of opinion.\*

### General

The Seminar focused on ethics at three different points in the nine weeks. During Block II, "The Business of CIA," it addressed the question in the light of reports on two creativity-and-ethics seminars held in late 1976 and early 1977. Seminar participants initially expressed a good deal of skepticism over whether the topic was worth spending much time on, and if so whether concepts of creativity and concepts of ethics could be linked in any meaningful way. The class nevertheless demonstrated a lively interest in ethical questions during a discussion led by [REDACTED] OTR on April 13. STATINTL Even during this relatively brief session, it was obvious that seminar members diverged widely in their thinking about ethics as it applies to CIA. There was something approaching consensus on only a few points; for example, it was generally agreed that a meaningful ethical code would be hard to devise and probably would not be worth the trouble.

On May 10 the Seminar attended the lecture on CIA ethics by Harlan Cleveland. There was general agreement that Ambassador Cleveland did not advance the class's understanding of the issue to any significant degree. He did reinforce the sense of the class that a formal code of ethics was unlikely to be very effective; his prescription for CIA, however, appeared quite shallow to many members of the Seminar. The Cleveland formula urges that a covert operation (either intelligence-collecting or CA) be undertaken only if it is determined that the probable worth of the result offsets

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\*A copy of the questionnaire, including a tabulation of the responses, is attached to this report.

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any embarrassment if the operation should surface. To many listeners, this appeared to be neither a particularly original notion nor even an especially ethical one.

#### The Seminar's Ethics Team

In the last week or so of the course a team of three Seminar members was set up to delve further into the question of Agency ethics. In exploring ways to tackle this problem the team received much valuable help [REDACTED] It was through him that the team first learned that the DCI has been in touch with Professor Graham Allison of Harvard.

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Through [REDACTED] of the DCI's office the team obtained a copy of Professor Allison's preliminary thoughts on the subject, together with some suggestions for a code of ethics. The suggestions, in the team's view, had two serious shortcomings: they were too negative in tone (consisting largely of "thou-shalt-not's"); and they were concerned largely with covert action and said little or nothing about the intelligence-gathering function. There also seemed to be a good deal of overlap between Professor Allison's proposals and the sort of charter-writing already being engaged in by Congress and perhaps the Executive Branch as well. (To its surprise, the team discovered that Commander [REDACTED] was not aware that [REDACTED] had been deeply immersed in Agency ethical questions, nor did he know of the various initiatives on the topic undertaken at Mr. Knoche's request.)

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The project team performed four tasks:

- Surveyed current activities in the Agency and elsewhere related to ethical issues;
- Created and administered a questionnaire on ethics to students in three OTR classes, a total of 92 Agency employees;
- Analyzed the responses to the questionnaire;
- Reviewed the results and discussed the utility of such surveys with other members of the Senior Seminar.

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Why a Questionnaire?

The events of the past few years have heightened concern about guidelines for Agency activities. The concern is internal as well as external. For the most part, the focus has been on ethics for all of us as a group, as an organization with a mission. More recently, Mr. Knoche has been concerned with an equally important aspect of the issue: the ethical behavior of a person with a job to do. He has stimulated discussion of ethical issues among Agency employees and has tried to take the pulse of the Agency on these issues. The latter is very difficult.

The project team felt that use of a questionnaire could provide another perspective for him and others. A large number of people could be reached, asking for their views in a consistent fashion. If properly designed, the questionnaire could help determine if individuals in one group view these issues differently from those in another and (if the questionnaire had more than ephemeral relevance) perhaps determine if individual views change over time.

There are pitfalls:

- A questionnaire trades off a mechanical, perhaps sterile, flavor to achieve consistency and broad applicability.
- Aside from the possible affront of asking one's views on issues which can be intensely personal, there is the difficulty that the act itself of posing specific questions could demean the discussion of issues that have immense importance.\*

Nevertheless, our curiosity was sufficiently aroused, the task of verbalizing stressful questions was sufficiently challenging--and the call of expediency and the textbook approach was sufficiently strong--that we tried the questionnaire approach to the ethics project.

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*\*A further danger is that the results of such a questionnaire might too easily be accepted as authoritative. An article in the October 1976 issue of Harper's provides an object lesson along these lines. The article purports to give an account of a survey on ethics whose results indicate a surprisingly low standard of values. Neither the three members of the team nor the other members of the Senior Seminar raised the possibility that the "survey" might in fact be a hoax--as in fact it was. A telephone call to the author revealed that most other readers also took the purported results seriously.*

Description of the Questionnaire

The questionnaire has three parts: (a) 17 questions each asking the respondent's opinion about an ethics issue; (b) 8 hypothetical situations, each with three or four variations involving increasing stress, where the respondent is asked how he/she would act; and (c) 4 questions asking the respondents' reaction to the questionnaire. All questions ask for a yes/no response, except for the last part asking for the subject's comments on the questionnaire. In addition, the respondent is asked to identify his age, grade, and service-years group as well as his directorate. The responses were anonymous. A copy of the questionnaire is attached.

Part I of the questionnaire asks for the respondent's views in a very straightforward way: "Should the Agency..., " "Would you...?" With these yes/no questions we could cover many ethical issues quickly: following orders, covert activities, dissent, cover, the polygraph, and so on. The eight hypothetical cases in Part II are designed to put the respondent into situations similar to those in which many Agency people find themselves. To make tabulations of responses as simple as possible, yes/no questions were used here as well. But respondents were able to supply shadings between yes and no through their reactions to changes in the case, each intended to be more stressful and thought-provoking than the one he just responded to. For example, a person might say he would refrain from using classified information to refute a self-appointed expert at a cocktail party, but be reluctant to report an Agency colleague whom he witnessed divulging classified information in such circumstances. In this way we were able to get responses along a rough scale in an indirect, but revealing way. This method of eliciting responses seemed to work well.

The questions in Part III about age, grade, years in CIA, and Directorate were meant to be precise enough to get useful interpretation of responses by such groupings, but not so discriminating that individual respondents could be identified.

Survey Results

One of our objectives in preparing the survey was to have it fit a wider population than that of the Senior Seminar. With this in mind, we asked the Mid-Career and Introduction to Operations course members to complete the questionnaire. We obtained 92 responses overall: 19 from the Senior Seminar, 32 from the Mid-Career Course, and 41 from the IOC. While this sample hardly represents a good cross-section of the Agency, it does provide three fairly distinct age and experience cuts.

In general the respondents seemed to take seriously the issues raised in the questionnaire in spite of the rather mechanical flavor of the exercise. The lack of frivolous responses and the comments included in the responses lead us to believe that people in the Agency want to think about and discuss ethical questions--even though their initial response is often cool.

The Senior Seminar discussion of our project brought out the following: (a) Attempts to interpret the questionnaire results triggered animated and fruitful (if inconclusive) discussion. (b) The questionnaire results should be looked at more carefully. (A follow-up report is planned, including more statistical analysis of the responses.) (c) The questionnaire can be used as a catalyst in making Agency employees more conscious of ethical issues and can be helpful to managers in dealing with such issues in making personnel and mission-related decisions.

Drawing general conclusions from the responses to specific questions is risky for several reasons. (a) Exposure to the question of ethics in intelligence was quite different for each group: The Senior Seminar had spent considerable time on the issue, the Mid-Career Course had covered the subject in a lecture/discussion period and had been advised the survey would be given, and the IOC course members received the questionnaire "cold." (b) While the two more senior courses represented a good cross-section of Agency offices, the IOC members were primarily from the DDO (with a strong minority representation from DD/S&T). (c) None of the three of us who constructed the questionnaire are trained in survey techniques, especially the fine art of eliminating question/response bias. This latter observation particularly affects the IOC responses, since some questions deal with areas in which they would have little or no experience.

Caveats aside, our initial response tabulations showed some interesting patterns. In the overall sample of 92 responses to the questionnaire, there were only a few instances of a consensus on a specific issue. However, each of the three OTR classes individually tended toward a consensus on several questions. In addition there were many instances of clear incremental differences between the three classes. Students in the Operations Course tended to select the bolder response to a question, the Senior Seminar students tended to select the more cautious response, with the Mid-Career Course in between.

In part, the different attitudes can be attributed to the age and experience level of each group. This point is supported by the answers to Question 1 in Part III: "Have you been faced with situations similar to any of those posed in this questionnaire?" Only a quarter of those in the IOC answered yes; half of the Mid-Careerists did so; while three-quarters of those in the Senior Seminar responded yes. This sort of age/experience straight line also appeared in several of the substantive responses.

Responses to a few questions surprised us: A larger number of respondents than we expected indicated that a limited capability to conduct assassinations should be maintained (38 percent). Similarly, a relatively large number of respondents would carry through an operation even under what we would consider questionable circumstances.

One of the more striking differences appeared in the tabulation for the first two survey questions. Answering the query "should the CIA have a written code of ethics?" ten percent of Senior Seminar said yes, the Mid-Careerists split 50-50, and IOC members came on with a 72 percent positive response. Tying in with this, 54 percent of the IOC said ethical problems are largely a legal, rather than personal, matter. Only 39 percent of the Mid-Careerists took this view, and no members of the Senior Seminar did. Although these results appear to follow the age/experience line, we suspect there also were other factors at work. First, the exposure to ethics in intelligence of the Senior Seminar and Mid-Career Courses got members thinking about the subject in a personal way. Second, we feel there may be a genuine yearning, especially among younger members of the clandestine service, for guidelines that set the outer limits of appropriate activities. Both in discussions and in the survey, the more senior people seem to be saying that ethics are largely a personal matter and that a written code is likely to be either



too general to be meaningful or too specific to be workable-- as others have suggested.

Only one person of the 92 queried felt there was any ethical problem associated with performing intelligence collection and analysis on our allies. We suspect a survey taken outside the Agency might yield different results. It also struck us as interesting that only 8 percent of the sample would have qualms about signing the secrecy agreement on separation; and that use of the polygraph has strong acceptance. A final observation on the yes and no answers in Part I: the age/experience curve was quite evident in question 13, asking whether the CIA should seek a more active role in policy formation (16 percent of the Senior Seminar felt it should, 35 percent of the Mid-Careerists said yes, while a majority-- 58 percent--of the IOC course said yes).

Responses to the scenarios in Part II of the questionnaire are even more difficult to interpret on a group-by-group basis, and probably should be looked at only on a question by question basis to get some feeling for individual responses to situation ethics. Many of these questions were beyond the area of experience of large numbers of the respondents, especially in the IOC, and we suspect there was a lack of perception of the issues involved in certain responses--for example, the relationship between the Agency and policy-makers (Part II, question 5,) and the complexities of the relationships with outside contractors (Part II, question 8). Moreover, the questions were designed to intensify or change ethical elements, and responses to one part of a scenario cannot always be tied in well with other parts on a group-by-group basis.

#### Reaction to the Questionnaire

The responses to the four questions about the questionnaire itself suggests that the questions were pertinent, were generally not offensive, and could be helpful in making people more aware of ethical issues. We looked for signs of frivolous or deliberately misleading responses. We found none, but do not discount the possibility. Only seven percent said they found the questions offensive, and 65 percent indicated that information like that requested in this survey would be a useful management tool (interestingly, only half the members of the Mid-Career Course indicated that they believe this).

The homosexual question elicited little reaction. The only strong negative reaction was to the question involving a former Agency employee helping his new employer on a troublesome Agency contract. A few people found it insulting for undisclosed reasons.

About 16 percent of the respondents provided specific comments about the questionnaire. The most prevalent comment was that it was too simplistic and that asking for a yes or no response was not reasonable. About 10 percent of the 92 respondents had this complaint. Other negative comments: "Just another exercise," and "Too many unknowns to answer," and on the positive side: "Thought provoking," and "Provides insights to predict employee behavior." One person felt the questionnaire should be more comprehensive, another said the results should be published, another said that anonymity of responses is important.

Several respondents gave narrative substantive comments on the ethics issue: "We are not boyscouts," "I'm glad about the concern about ethics," "I'm in complete sympathy with concept of situation ethics," "Management can do little more than set a tone," "When one joins CIA, he/she has already made a compromise on ethics."

Three respondents' comments are quoted in their entirety:

STATINTL --A code of ethics is superfluous to existing guidelines--E.O. 11905, [REDACTED] series, Title 18--and what we are really faced with is a need for adequate legal interpretations of these laws and guidelines. Beyond that, ethics and/or morality is situational, strongly dependent on society and both the Agency's and the country's policy makers.

What might be viewed as intolerable now--such as an assassination--might be totally acceptable in wartime or other crisis situations. Further, in order to conduct ourselves "ethically" at all times would require a series of codes--to be responsive to the particular country or area of the world in which we happen to be working.

I find the whole concept of attempting to set forth a "code of ethics" a waste of time. What, in my mind, would be more useful would be the creation of better means of communicating dissent/disagreement in a non-attributable/non-retributive fashion.

If we are to continue to fulfill our foreign intelligence mission we cannot stop our activities in countries where the intelligence service or political trends happen to conflict with our own country's present moral/ethical standards.

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--Fire all GS-16s and above, and start with a clean slate. For CIA to be discussing ethics now is really a case of closing the barn door after the cow's got loose. From what I've seen these past 9 days (in the Mid-Career Course) Agency management is primarily to blame for 90 percent of the CIA woes today: poor managers, little initiative, no imagination and inadequately informed--a sorry lot.

--I find it difficult to have the Agency adopt a written Code of Ethics. I feel a Code of Ethics may have some appeal to the American public, but in effect I think it would be treated much the same as the Secrecy Oath--you either accept it or you don't regardless of the form it takes.

If a Code of Ethics is adopted for the Agency, I would like to see it practiced at the DCI Morning Meeting where senior managers daily attempt to attract the ear of a new DCI by playing one upmanship against the other. As an Agency we have been through four DCIs in several years. I find it extremely discouraging to see the leadership in the Agency fragmented by personal gain motives instead of joining together and living the 'one Agency concept.'

Gentlemen, if charity begins at home then ethics should be visible on the 7th floor--first--the rest should permeate the working level.

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